

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

WILLIAM C. VALENTINE, :
 :
Plaintiff, : Case No. 3:10cv470
 :
vs. : JUDGE WALTER HERBERT RICE
 :
COMMISSIONER OF SOCIAL SECURITY, :
 :
Defendant. :

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE (DOC. #18) IN ITS ENTIRETY
AND OVERRULING THE DEFENDANT COMMISSIONER'S OBJECTIONS
THERETO (DOC. #19); MOTION TO ALTER OR AMEND JUDGMENT
UNDER RULE 59(e) (DOC. #16) OVERRULED; THE CAPTIONED CAUSE
REMAINS TERMINATED UPON THE DOCKET RECORDS OF THIS COURT

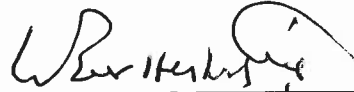
Plaintiff brought the captioned cause, pursuant to 42 U.S.C. § 405(g), to review a decision of the Defendant Commissioner finding Plaintiff not disabled within the meaning of the Social Security Act and, therefore, not entitled to benefits under that Act.

On March 19, 2012, this Court issued a Decision and Entry (Doc. #13), entering judgment in favor of Plaintiff and against Defendant, reversing the Commissioner's decision that Plaintiff was not disabled and, therefore, not entitled to benefits under the Social Security Act, and remanding the case to the Defendant Commissioner for the payment of Supplemental Security Benefits. Defendant has filed a timely Motion to Alter the Court's Judgment under Fed. R. Civ. P. 59(e) (Doc. #16). On August 24, 2012, the United States Magistrate Judge filed a Report and Recommendation (Doc. #18),

recommending that Defendant's Rule 59(e) motion be denied. Based upon reasoning and citations of authority set forth in the Magistrate Judge's Report and Recommendation (Doc. #18), as well as upon a thorough de novo review of this Court's file, including the Administrative Transcript (filed with Defendant's Answer at Doc. #4), and a thorough review of the applicable law, this Court adopts the aforesaid Report and Recommendation in its entirety. Defendant's Objections to said judicial filing (Doc. #19) are overruled. Defendant's Motion to Alter or Amend Judgment (Doc. #16) is overruled.

The captioned cause remains terminated upon the docket records of this Court.

September 28, 2012



WALTER HERBERT RICE, JUDGE
UNITED STATES DISTRICT COURT

Copies to:

Counsel of record